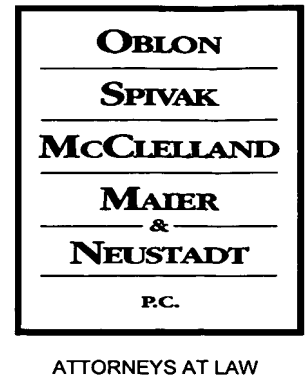




Docket No.: 247326US3CONT



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/757,444
Applicants: Kazuhisa SUDO, et al.
Filing Date: January 15, 2004
For: TONER CONTAINER AND IMAGE FORMING
APPARATUS USING THE SAME
Group Art Unit: 2852
Examiner: TRAN, HOAN H

SIR:

Attached hereto for filing are the following papers:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 247326US3CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : DATE ALLOWED: OCTOBER 4, 2006
KAZUHISA SUDO, ET AL. : EXAMINER: TRAN, H.
SERIAL NO: 10/757,444 :
FILED: JANUARY 15, 2004 : GROUP ART UNIT: 2852
FOR: TONER CONTAINER AND IMAGE :
FORMING APPARATUS USING THE
SAME

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant acknowledges with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reason for Allowance in the Notice of Allowance of October 4, 2006, Applicant respectfully submits the following comments.

In the Examiner's Statement of Reasons for Allowance on page 2 of the Notice of Allowance mailed October 4, 2006, paragraph 2 states:

The following is an examiner's statement of reasons for allowance:

Claims 51, 53, 54, 56-58, 60 and 62-67

None of the prior art of record teaches or suggests a toner container for use with an image forming apparatus comprising a recess positioned at the second end of the container body and configured to interface with a retaining member of the image forming apparatus; wherein the container body includes an outer housing and an inner bag.

However, although the above statement may be accurate with respect to independent Claim 51, it is respectfully noted that independent Claim 60 does not include all of the elements recited above. For example, independent Claim 60 recites “means for interfacing,” not “a recess.” Accordingly, it is respectfully submitted that the above-quoted statement applies at most to Claims 51, 53, 54, and 56-58 and not to any of Claims 60 and 62-67.

Paragraph 2 further states:

Claims 59 and 68-71

None of the prior art of record teaches or suggests a toner container for use with an image forming apparatus comprising a recess positioned at the second end of the container body and configured to interface with a retaining member of the image forming apparatus, a mouthpiece member positioned at the first end's first mouth, said mouthpiece member including a second mouth to allow toner stored in the toner container body to be discharged from the toner container body, and a shutter to control passage of toner through the second mouth; wherein the shutter includes a piston and a biasing member.

However, although the above statement may be accurate with respect to independent Claim 59, it is respectfully noted that independent Claim 68 does not include all of the elements recited above. In fact, independent Claim 68 is a method claim, not an apparatus claim. Accordingly, it is respectfully submitted that the above-quoted statement applies at most to Claim 59 and not to any of Claims 68-71.

Finally, paragraph 2 states:

Claims 75-99

None of the prior art of record teaches or suggests a toner container for use with an image forming apparatus comprising a support internal to the container body and proximate to the opening, a movable stopper arranged to seal and unseal the toner container, and a coil spring disposed between the support and movable stopper which urges the movable stopper to seal the toner container.

However, it is respectfully noted that none of Claims 75-99 recite “a toner container for use with an image forming apparatus.” At most, Claims 75-99 recite “a toner container.”

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Reply to Notice of Allowance of October 4, 2006

Accordingly, it is respectfully submitted that the above-quoted statement does not apply to any of Claims 75-99.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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